№ 2
January 1998

The Right of Freedom

The Bulletin of the Human Rights Protection Committee in Belarus "Spring '96"



No Reasons for Ha-Ha...

About two weeks ago the "populizer" of the President's ideas A.Zimovsky synchronised in his "Resonance" a rather strange document with a conventional title "The Business-Plan on A.Lukashenko's Divest of Authority". According to his words, the Belarusian opposition had demanded from the "capitalists" as many as 32 million dollars for the organisation of Lukashenko's deposition.

A resonance on this "Resonance" lasted only a few days. The next day Security Secretary of State V.Sheiman affirmed that certain bodies had "the documents" and named one of them — Chairman of BNF's Educational Committee Ivan Saverchenko; two days later Foreign Minister I.Antonovich came forward...

The BNF leaders refused to comment this fabrication. Russian mass media had chewed this "sensation" for a couple of days and then forgot about it. Belarusian state newspapers kept silent at all. The independent newspapers published in the regular numbers wide comments, never to return to them in the next ones. That was all.

And who needed and what for to prate and bring to the world this fragrant lie? And what would be the result — if it gets forgotten there on and we recollect it only after a new plot's revelation? Just like it happened with the "revelation" by Ilyukhin, a Russian thinker and A.Lukashenko's defender from external and domestic "foes", of the "plot" made by 18 CIA officers in Poland; like it happened with the Lithuanian guys from the Land Defence Service, guiltlessly arrested for a "attentat" on A.Lukashenko; like the historical "Lioznensky case" was recollected; like the recent P.Sheremet's charge with planning of an attentat on the President...

-Several suchlike "uncovered attentats" come to the every year of Lukashenko's reign. We can tell only one thing about it: they will croak...

So why did the presidential services (or maybe the President himself) need to spread among people this false report? There may be several variants of the answer.

The first one is the answer on all citizens' initiatives, viz. the signatures collection for Lukashenko's impeachment.

The second variant: the authorities are preparing this way the ground for the coming in the beginning of February OBSE observers.

The third one: it was a kind of preparation for a regular integration meeting in Kremlin. The aim was "to frighten" the official Moscow by its ability to lose its main ally.

(please see page 3)

Chronicle

January 6 **—Lyudmila Gryaznova and Gennady Karpenko, the Supreme Soviet deputies of the 13th Convocation, were tried in the Central Court of Minsk for taking part in the gathering on November 23, 1997. Judge A.Borisenok has warned these two Deputies.**

January 15 **— Yanka Abadovsky, a member of the Young Front's Central Rada, one of the leaders of the Young Front's Rada in Mogilev, was excluded from the Mogilev Engineering Institute quasi for his poor progress.**

January 20 **— the defence attorneys of the political prisoners A.Shidlovsky and V.Labkovich learned the matters of their criminal case. These members of the Young Front are charged with malignant disorderly conduct, desecration of the state symbols, distribution of illigal literature and vandalism. Thus Minsk Region Court must judge this case in the terms of one month, the trial being planned on the end of February 1998.**

January 20 **— in the procedure against P.Sheremet and Dm.Zavadsky, journalists for Russian ORT company, the prosecutor V.Sido requested the judge Kozakevich to sentence P.Sheremet to three years of jail and Dm.Zavadsky to two years with a respite of one year.**

January 21 **— a well-known Belarusian businessman A.Pupeiko, who has been living in Germany for several years, was set free on bail till the final legal investigation. According to some politicians, A.Pupeiko's case, with Belarusian authorities' demand of his extradition, is a political one, viz. the attempt of President Lukashenko to revenge himself for his refusal to finance A.Lukashenko's electoral campaign.**

Behind Bars — Since August 25, 1997!

Vadim Labkovich, 16, and Alexey Shidlovsky, 18, were writing:

"Belarus is our home, our fane", "We love Belarus", "Belarus is our Motherland", "Long live Belarus!"

Therefore they were locked up...

In Protest

A picket in Borisov is both a usual and an unusual thing. It's usual so far as the local problems are concerned. And it is unusual when people with a risk to their position, well-being, life make a stand for the rights of their remote countrymen. This time the habitants of Borisov picketed to advocate the political prisoners V.Labkovich, A.Shidlovsky and V.Kabanchuk, as well as to protest the ban of the newspaper "Swaboda" and liquidation of the liberties of speech and of printing in Belarus. The picket was organized by BNF (Belarusian Popular Front) and NSDG leaders (Narodnaya Gramada) and took place on January 3.



By the way, this action's organizers in their statement asked the officialdom of the Town Executive Committee to permit the pickets in the crowded places of the town — on Chapaev St, 5 or Gagarin St, 89. The Town Executive Committee President V.I.Burgun authorized the picket... on the town stadium.

The action partakers considered it as mockery and disrespect towards the citizens, who want to show their attitude to the illegitimate acts of the authorities and the breach of the common human rights.

Everything Ends with a Penalty

Some months ago it was rumoured that a well-known bard, the author of seven song albums Andrus Melnikov was captured while crossing the Belarus-Lithuania border in some one or two weeks after P.Sheremet's arrest and was kept next to the latter in the same Grodno Prison. At first it seemed to be unbelievable. Around the "Sheremet case" an all-time fuss was made, the Russian TV channels were talking about it all day long, but as for A.Melnikov's deed, who tried to cross the same boarder illegally as if to show solidarity with P.Sheremet, there was not a single word either in Russian or Belarusian press...

But sooner or later the roumors were proved out: Andrus Melnikov together with another Belarusian bard Oleg Mizula were indeed captured on August 11 while crossing the Belarus-Lithuania boarder. The bards were returning from Vilnus were they took part in the concert dedicated to the City Day. By the way, a day before, on August 10, they crossed the Belarus-Lithuania boarder without any difficulty. But on their return way the Lithuanian Boarder Patrol seized them...

The bards have been waiting for the sentence in Grodno Prison for long 5 months. Exactly this time the Region KGB Unit investigator Dmitry Turoch needed to pursue a preliminary investigation. The defense attorneys' requests to change the preventive punishment were ignored.



The trial took place at last on January 14-15 in Ostrovets. According to art.80 p.2 of the Crime Code of the Republic of Belarus the guys faced five years in jail. The judge Gennady Yankovsky decided to fine Andrus Melnikov and Oleg Mizula respectively in 10 million roubles and 30 million roubles (the fact, that Oleg Mizula was crossing the boarder not for the first time, was taken into account).

Both the "Sheremet case" and the "Bards case" seem odd, absurd, barbaric to people in the free world, where the frontiers between states got opened long ago. But these are the realities of the Belarusian modern life, where the authorities have renewed the erection of the "iron curtains" or of a new "Wall of Berlin" around the country.

On the photo: A.Melnikov.

One Head is Still Better than Nothing...

The habitants of Minsk have felt the dictatorship's coming. But probably not to the same degree as the habitants of provinces. The less the town is, the stronger is the pressure on the people who aspire to assert their rights.

Yet the example of Mikola Zanka, an inhabitant of Gantsevichi, proves that one head is better than nothing — when the person acts hardily, vigorously, purposefully.

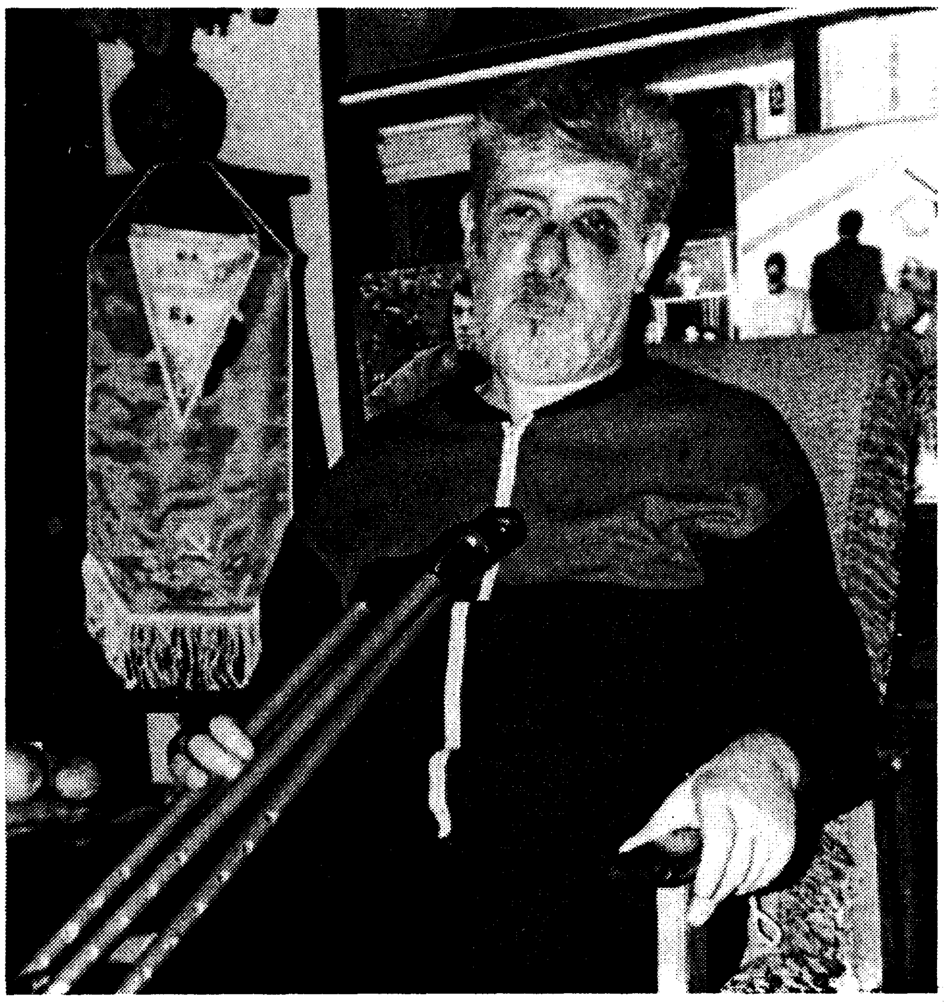
On November 27 of the last year Mikola Michaelovch Zanka, 50, the father of three children, began a timeless picket in Gantsevichi to advocate the three political prisoners V.Labkovich, A.Shidlovsky and V.Kabanchuk and to protest the ban of the newspaper "Swaboda". The regional authorities did not grant the permission to picket. That is why on November 28 M. Zanka was arrested and sentenced by the regional court to 10 days of jail.

In the investigative ward M.Zanka went on a "dry" hunger-strike. He held it during four days. Only after BNF directors' solicitations he began drinking water, continuing the hunger-strike...

M.Zanka's fortitude and insistence brought to the satisfaction of his new request to picket. A special place in the Central Town Square was given for its carriage since December 16. In the decision of the Gantsevichi Region Executive Committee the following was written down: to assign the architecture and town planning bureau (Kiptseevich V.I.) and Region Municipal Economy Incorporation (Berko V.N.) "to carry out the exception of a place for Mr.Zanko N.M.'s picket specifically".

M.Zanka needed especially his weight of a former Regional Soviet Deputy on January 15, when 130 workers of a local repairs-and-building enterprize stroke with the demand to pay out the screws, still unpaid since the yesteryear October. Thanks to their orderliness and insistence the workers made the grade. The director of this enterprize was discharged, the screws began to be paid off...

A.CHAS



Ordinary ... Brutality

This snapshot has made the round of almost all the independent newspapers. It became one more witness, one more document of our uncharitable today. On this photo you see the well-known director Yuri Khastchevatsky after two unknown people "have visited" him at his studio. These two people are likely to remain under the pseudonym "unknown" forever because of the evanescent detection of suchlike crimes in our country.

"Do not beat him — he is an actor!" — it is a well-known catchword from one old movie. We may also recollect a sacramental "Do not shoot in the pianist"... Even in the darkest times the attitude towards the creative-minded people was specific. They were forgiven a lot, they were permitted a lot. But not nowadays and not in Belarus. Blackguards cannot be stopped here by anything. Painters and writers, actors and directors are exposed here to beating. They are beaten with a special atrocity, with a special enjoyment and cynicism. They are beaten on rallies and processions, they are beaten also in their flats and studios.

Yuri Khastchevatsky was beaten for making an honest truthful film about their god — the president. There was no other reason for so extreme brutality.

The democratical opposition has once slapped the shameless liar-director Y.Azarenok in his face. But we see that these "honour vindicators" have quite different methods and means...

Statement

of the civil Initiative Steering Committee "Charter-97"

Yuri Khastchevatsky, a director and a member of the Civil Initiative Steering Committee "Charter-97" was severely beaten on December 23, 1997 at 19.15 p.m. in his studio. The consequence of the assault of the unknown, causing grievous bodily harm, were a broken bridge of the nose, a triple fracture of the foot, cerebral concussion, numerous contusions and abrasions.

Yuri Khastchevatsky was known among vast audience first of all as the director of a documentary "The Common President", the show of which was practically banned all over Belarus. The day before this assault the film was presented on a French-German TV channel ARTE. Besides Khastchevatsky is the author of 22 more documentary and fiction films, some of them been prized on different film festivals. The director is a Sakharov laureate.

The incident with Yuri Khastchevatsky is the continuation of numerous violent acts in regard to cultural workers, journalists and opposition politicians, viz. beating of Supreme Soviet deputies of the 12th convocation, gunning of Victor Gonchar's car, the assault on Anatoly Lebedko, gunning of Igor Germenchuk's flat, beating of professors Savitsky and Antsypovich and journalists Semashko, Tarletsky, Galinsky, Stchukin, Khalip, etc. during their course of duty, the assault on the Helsinki Committee observer Nadezhda Zhukova, kidnapping of the journalist Oleg Babenin.

In neither of the cases the guilty were punished. At the same time the number of law machinery workers in the Republic of Belarus much exceeds all reasonable limits. Moreover, in most these and other cases it were the workers of militia and other special services who attacked.

We demand Belarusian authorities to find the people guilty in the assault on Yuri Khastchevatsky, as well as to punish all guilty in violent acts in regard with cultural workers, public figures and journalists. We call the national creative unions and international organizations to express their solidarity and to support their collegues from Belarus.

December 26, 1997

the same day after the press-conference hold by Steering Committee "Charter-97" members this statement was signed:

Zhanna LITVINA — President of the Belarusian Journalist Association;

Dmitry BONDARENKO — Director of the Independent Press Support Foundation;

Tatyana PROTKO — Chair of the Belarusian Helsinki Committee;

Vladimir ROVDA — Chair of the NGO Labour Assembly;

Ales BIALATSKY — Chair of the Human Rights Protection Committee "Spring '96"

No Reasons for Ha-Ha...

(continued from page 1)

The forth variant: it was a try to side-track people's attention from economical and social problems as the life becomes worse and worse.

The fifth and so far the last one: it was the beginning of a regular propaganda campaigne, directed on the opposition discreditation, on the preparation for the final ban of the most powerful political parties, their leaders stand-off, and, possibly, for mass repressions...

This time the presidential "ideologists" seem to have run after several "hares" — or goals. Anyway, only they have benefited from the fuss made. As for us, we think the fifth variant of answer to be the most important and the most "perspective". Judging by the development of events and considering all the historical parrallels ("the Reichstag's arson" or the extermination of the "public enemies"), we may affirm that the Belarusian authorities have come today right to the moment when "those various democrats" begin to desturb them visibly. This is high time for them to get rid of these democrats once and for ever, so that they could not make an extra noise about human rights and democracy protection, so that they did not libel the President in the eyes of the world community... That is why we may predict that "The Business-Plan", though not being the first attempt to belie and compromise the Belarusian opposition and to oppose it to the people, is anything but the last one. These "32 million dollars" seem nowadays to have been forgotten, but tomorrow they may be recalled again. Because it is far too enticing to polish off the opposition at one fell swoop, as if it were an annoying fly.

And regards the money — these very 32 million dollars for the "deposition", — in this connection we can remember the folk's wisdom "Money is usually paid for love, but hatred is always free of charge".

Andrey NALIVA

"I Ask to Punish the Militiamen..."

This story is a typical one. For the last years hundreds, or maybe thousands of Minsk habitants have faced militia's "boundlessness". During and after demos and processions militiamen and Special Purposes Corps seized each and all. It happened very often that occasional people, who had not taken part in the opposition actions, but were just passing by, got into investigative isolation wards. The records and sentencing decisions composed were alike as carbon-copies: "is charged with discussion in public and complaining on the President's actions" with a great unlaw or several days of jail as a result.

Most people perceived it as something due: what could they wait for in a militia country? But there were also people who did not want to make peace with possessing no common civil rights, who tried to protect their and their relative's rights. We have underlined this case among others as this very time the father did not keep still but tried for justice and truth in regards to his under age daughter...

This story set in at 19.25 p.m. on April 2, 1997. A 17-year-old Minsk girl Zhenya Mitryaeva was returning home. She was going along Kuibyshev Street from the store "Lancome" to a bus-stop. Near the building №20 a light "Zhiguli" without license plates came up to her. Two men in civil jumped out of the car and rushed to the girl. Zhenya got frightened and tried to run away. But in some two or three steps a third man appeared as if from nowhere and captured her. They broke off the girl's hands and, without a word said and having not presented themselves, they dragged her towards the car. The girl was yelling and crying for help, but there was not a single person around to come to the rescue. The men hustled her with force into the car, by this she badly hurt her head against the car body.

Zhenya Mitryaeva was brought to the tsentralny District Interior Department (ROVD). In a cabinet on the second floor her things were looked through, the passport taken away. In one hour the girl was shifted to another cabinet, where during making a report she finally found out the reason for her seizure. According to the record, she had taken part in an unauthorized procession on Bogdanovich Street. Afterwards they were taking video of Zhenya. All the time, even before the record-making, the girl (sorry for this naturalism) was asking to let her go to the rest-room. But in return she heard only mockery.

They phoned the father of Zhenya Mitryaeva only about 9 o'clock in the evening. Without any explanations they offered him to come to the ROVD. He got to the militia office as quickly as possible. But for some 30 or 40 minutes he was not let in. He was asked to wait, again without explanations. He could imagine the most terrible things had happened...

At last Zhenya's father got the permission to go up to the third floor, and there he received his under age daughter on receipt...

On April 4 Vladimir Vladimirovich Mitryaev, Zhenya's father, filed to the Tsentralny District Prosecutor's Office a petition with a request to digest the events and to assume measures against the militiamen who had exceeded their authority. The same day an investigator, that called himself Lavrik Ruslan Ivanovich, called up and summoned Zhenya to the Tsentralny ROVD. (Later it turned out that there were no investigators with this name in the Tsentralny ROVD.)

Vladimir Vladimirovich and Zhenya went there together. In the cabinet they were brought to they found two men in civil. Without presenting themselves, they began accusing Zhenya of participating in an unauthorized meeting (though according to the record, it was a procession). The main idea of this conversation was that they would better take their petition back from the Prosecutor's Office as they all the same would achieve nothing but extra troubles and headaches.

"My daughter has filed a petition not only to the Prosecutor's Office but also to the Belarusian Helsinki Committee", said Vladimir Vladimirovich.

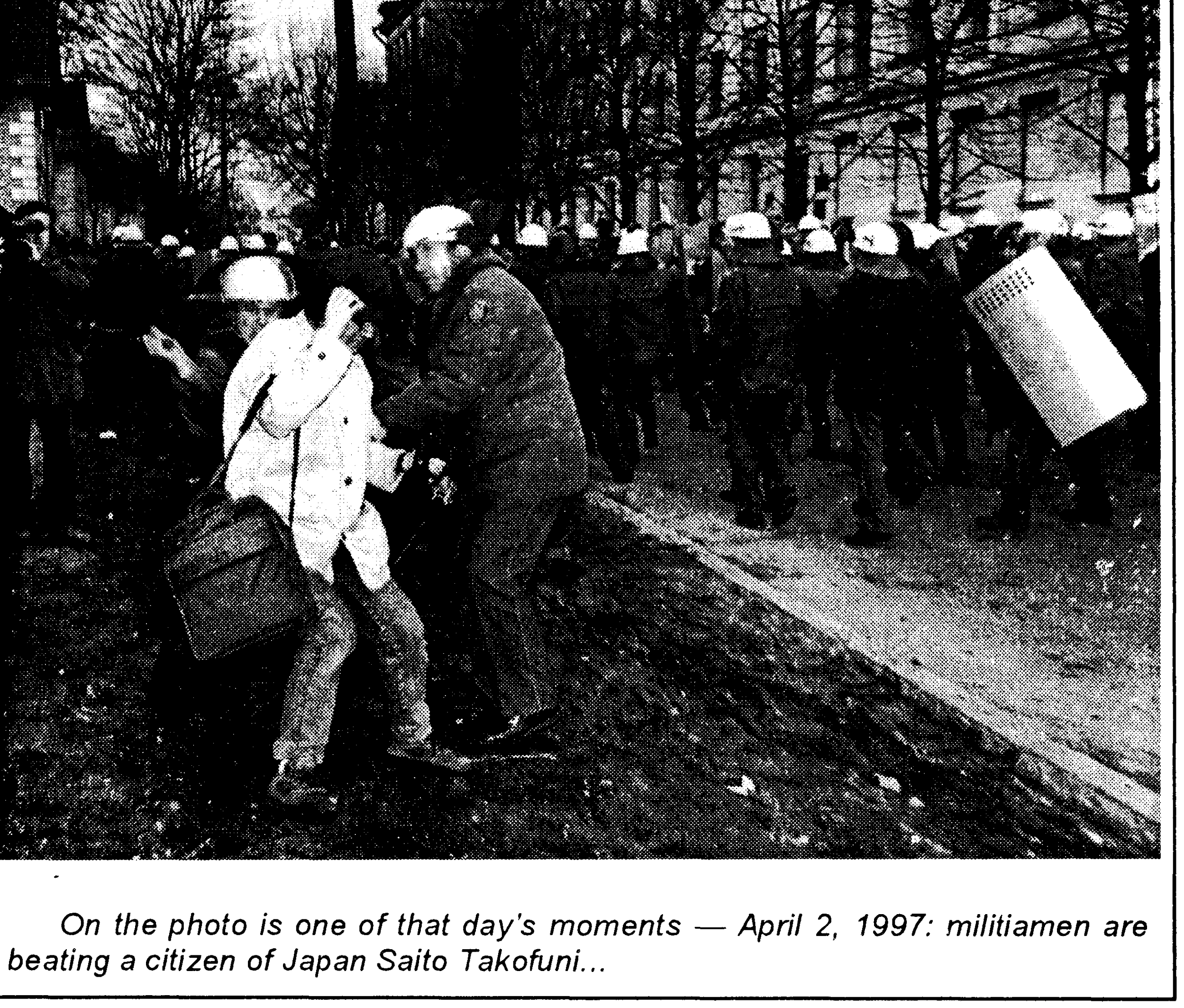
"You may file it wherever you want — either to UNO or to NATO, — we do not care", said one of those in civil.

After this dialogue Vladimir Vladimirovich and his daughter were let go.

Zhenya's "acquaintance" of militia did not passed unharmed. She got severe headaches, and she had to see a doctor. The doctors in the Hospital №5 made a diagnosis: "a craniocerebral injury and cerebral concussion". As an addition they found an ankle fraction... After the cure at hospital Zhenya had to complete her cure for one month at home — she was advised to stay in bed.

The next day after the discharge the investigator N.I.Pokataev rang up the Mitryaevs and asked a permission to come to question Zhenya. The examination lasted for two hours. The investigator behaved correctly, properly and tried the whole time to show to the parents that the incident with their daughter was just "an imprudence from the militiamen's side". He never said who had arrested Zhenya and who had made the report. (It was not said in the Tsentralny ROVD either.) After the examination Zhenya got a headache again, and the parents had to call an emergency ambulance.

Vladimir Vladimirovich managed to see the reports made by those in civil, who had arrested his daughter, only on the administrative commission sitting when Zhenya was convened there. While reading these reports he at once noticed dissonance and inaccuracy. In the first instance, they were about the time. "She took part in an unauthorized procession along Bogdanovich Street, was said in the report, from Building №8 till Building №12 from 19.05 till 19.20." And a bit lower: "Was captured at 19.25". But even an adult is unable to cover the distance from the place of procession to the place of seizure in five minutes. Besides Zhenya had a sore foot. Because of this reason she was exempted from physical training at her



On the photo is one of that day's moments — April 2, 1997: militiamen are beating a citizen of Japan Saito Takofuni...

college. Vladimir Vladimirovich without a peep called to the fact the attention of the briefed investigator V.A.Magaril, the Tsentralny ROVD Prosecutor's Office. On April 24 a criminal case was initiated "on the fact of the exceeded authority from the side of militia workers during seizure of the meeting participators on 2.04.97". The investigator Magaril called Zhenya to interrogate, put several ordinary questions and then practically rewrote the record of a previous examination. This was the end of "the investigation". Nobody has summoned the person affected anywhere any more...

After the petition was filed to the Belarusian Helsinki Committee, the "Radio Swoboda"'s Editor-in-Chief of a programme about human rigths made to V.V.Mitryaev a request to take an interview. The talk took place, and V.V.Mitryaev informed about it the Prosecutor's Office. In one week after the programme appeared he got at last at the investigator Magaril, and the latter told that the case was already closed by him and that a written notification he would send later. He refused to talk specifically about the reasons for this case's dismission. The addressee received this notification in two months. That very Magaril was writing that the criminal case on "the exceeded authorities" had been dismissed because of "the lack of components of crime" in the militiamen's actions...

On July 18 V.V.Mitryaev had again to appeal the prosecutor (this time Minsk City Prosecutor) to examine objectively his daughter's case. In his petition he wrote: "I understand the actions of the Prosecutor's Office workers as a mere attempt to burke the case — as if reputation is higher of all. I think that the investigator Magaril had processed the case only officially... I ask... not to let the militiamen, that narrowly had invalided my daughter, go unpunished, as if we not stopped these fascists in militia uniform, there is no guarantee that tomorrow they would not beat or kill anybody else..."

The answer on this petition came in one month. The Minsk Prosecutor's assistant L.S.Litvinyuk informed: "The militia's actions were lawful ... the criminal case was dismissed reasonably"...

V.V.Mitryaev's hunt for truth in militia and Prosecutor's Office ended thus. They do not betray their people... As for the moral of this story for common citizens, it is on the surface, like in the cartoon about a plastic crow. Do you remember: " Do not stand nor jump under a hanged weight..."

P.S. A desk's small elaboration: the investigator Magaril, who proceeded Zhenya Mitryaeva's case is that very Magaril, who investigated the case of Irina Khalip, a journalist for the independent newspaper "Imya", after she was beaten by militiamen. The investigation ended, according to Magaril, by Irina's slapping him in his face... This "investigator" decided to vindicate his honour in curia and petitioned on the woman, belied by him. The Court this petition admitted... This is the public justice we have.

Charter-97

Belarusian Declaration of Freedom

In the result of its two-centuries' "colonial development" Belarus has almost forgotten the feel of liberty and lost its place in the community of independent European nations.

During last three years independent Belarus has been acquiring the world's popularity of a country with dictatorial regime in the centre of Europe.

Nowadays the Belarusian society has reached the condition, when conformism, collective slavery, totalitarian ideology and nonliberty are pressed upon masses as an acknowledged choice for the sake of survival.

"The enchained mind" tries to control all the independent intellectual, cultural and social-economical initiatives, "the one-dimensional person" in Belarus menaces the values of European democracy and culture.

It is obvious that Belarus has become the country, that challenges many European systems, politicians and all remedial organizations.

Thus situated, we, a group of Belarusian intellectuals, people of art and culture, state about our radical choice in favour of:

— free creativity and free thought;

— intellectual and cultural nonconformism;

— protection of the main values of European culture and civilization with their determinant message of FREEDOM.

In this situation we do not have other means to protect and to establish these principles but our resolve, thirst for freedom and belief in free manifestation and expression of human constructivity.

With our struggle for freedom we swear by the creative and democratic future of our country in the united Europe.

We call the intellectuals and people of culture and art in all European countries to manifestate their espousal of the Declaration and sign it for the sake of Belarusian and European freedom.

Minsk, December 1997

The Belarusian Declaration of Freedom was signed by

Belarus

Slavamir Adamovich, a poet
Valentin Akudovich, a specialist on culture
Michael Anempadistov, an artist
Ales Antipenka, a philosopher and a poet
Vladimir Arlov, a writer
Vatslav Areshka, a culture historian
Igar Babkov, a philosopher and a poet
Rygor Baradulin, a poet
Mikhas Barazna, a photographer and art critic
Zmiter Bartosik, a bard
Mikhas Bayarin, a poet
Valery Bulgakov, a literature translator
Vasil Bykov, a writer
Pyotra Vasyuchenka, a literature critic
Lyavon Volsky, a rock-musician
Adam Glyobus, a litterateur
Oleg Dashkevich, a journalist
Victor Dashuk, a film director
Oleg Dernovich, a historian
Sergey Dubavets, a literature critic
Andrey Dynko, an interpreter
Sergey Zakonnikov, a poet
Vyacheslav Ivanovsky, a theatrical critic
Victor Kopytko, a composer
Arthur Klinov, an artist
Zmiter Kolas, a translator
Kasya Kamotskaya, a singer
Vladimir Konan, a philosopher and a literature critic
Nikolay Krukovsky, a philosopher
Valery Mazynsky, a stage director
Zinovy Margolin, a theatre painter
Vladimir Matzkevich, a specialist on culture
Igar Matsyukhov, a kapellmeister
Nikolay Pinigin, a stage director
Ales Razanav, a peot
Vacheslav Rakitsky, a theatre critic
Denis Ramanyuk, an artist
Ivan Saverchanka, a literature historian
Genadz Saganovich, a historian
Vasil Syomukha, a literature translator
Sergey Kharevsky, an art critic
Victor Shalkevich, an actor and bard
Karlos Sherman, a poet and translator

Poland

Bagumila Berdykhovska, a journalist
Hanna Dulangova, a historian
Stanislav Zapasnik, a philosopher
Antony Kaminsky, a sociologist
Yan Malitsky, a historian
Antony Podraza, a historian
Kshyshtaf Renik, a journalist
Restift Smanevich, a historian
Pavel Chartariysky, a historian
Bogdan Chivinsky, a historian
Kshyshtaf Chizhevsky, a specialist on culture and actor
Hanna Engelking, an ethnographer

Ukraine

Natalka Belatserkivets, a poetess
Aksana Zabuzhka, a philosopher
Yaroslav Isaevich, a historian
Roman Kis, a specialist on culture
Vitaly Panamarov, a writer
Vladimir Tsybulka, a poet

The Belarusian Declaration of Freedom is the initiative of Belarusian humanists, people of culture and art, which has originated within the framework of "Charter-97".

Today when conformism becomes more powerful in Belarus, when the «majority» chooses slavery, when totalitarism predominates in the everyday life, Belarusian culture chooses in favour of Freedom.

The Declaration is open to be signed both by Belarusian humanists and other states' figures. It is the initiative supported by Action Programme – viz. consolidation and development of Belarusian culture on the basis of European values in the European context.

Contact address: 220036 Minsk, p/o box 31.

No comments

Market Socialism: Economy and Control

The state has no money. It must count each penny. Taking penalties from the oppositionists is an article of faith of every executor. The market socialism we are trying to build is, above all, economy and control. And strict discipline... Nobody is kidding, it is our reality. So read it...

A control inspection of the law observance was conducted by Minsk Prosecutor's Office. It regarded the implementation of regulations on administrative infractions' forfeit, which are covered by RB Presidential Decree №5 of 2.03.97 «On gatherings, meetings, demonstrations and pickets in the Republic of Belarus».

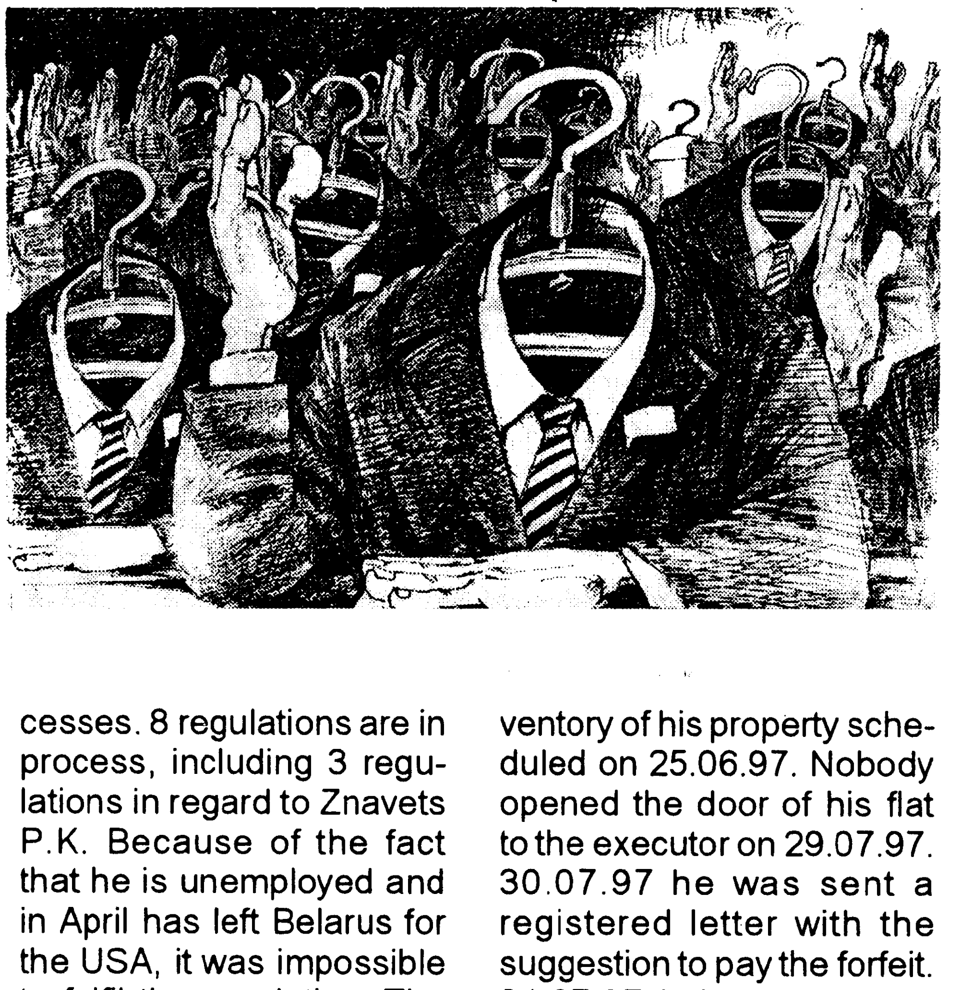
It was stated that the Justice Administration of Minsk City Executive Committee and Minsk district courts had taken measures to the elimination of the law violations during the implementation of regulations on administrative infractions' forfeit, which were brought to light during the inspection conducted before, as well as to penalty sums' deduction. Actions were taken on all cases of undue execution processing and red tape while performing penalty regulations.

According to the information, provided by Minsk district prosecutors and by the Justice Administration of Minsk City Executive Committee, to the state of things on 7.08.97 all the regulations of this category have been executed in Minsk Partizansky District Court, including ones in regard to Kozlovsky P.P., Grib M.I. and Novikov V.N.

In Minsk Tsentralny District Court 6 regulations were in process. 3 of them have been really performed.

Sharetsky S.G. was brought to administrative responcibility and penalized in 5 million roubles after the Tsentralny District Judges's ruling of 13.05.97. 22.05.97 the copy of this ruling was sent to the Moscovsky District Court. Sharetsky S.G. directed an appeal against the judge's ruling to Minsk City Court, where 17.06.97 the administrative case of Sharetsky was sent. 12.07.97 Minsk City Court dismissed the complaint, and the Tsentralny District Judge's ruling of 13.05.97 was let stand.

13 regulations were in process in the Oktyabrsky District Court. One of them was annuled, one was really performed, the fulfilment of the next was postponed because of its appeal, the suggestion to detain the penalty sums was sent to the violators' work places and pension funds according to 2 execution processes. 8 regulations are in process, including 3 regulations in regard to Znavets P.K. Because of the fact that he is unemployed and in April has left Belarus for the USA, it was impossible to fulfil the regulation. The regulation to penalize Zakharenko Y.N. in 2,600,000 roubles have been partially performed. The executor has sent a suggestion to detain the penalty sums from the violator's pension. In concordance with the execution processing data 1,354,200 roubles have been detained from Zakharenko Y.N.'s pension in May, June and July.



8 regulations were in process in the Frunzensky District Court, 2 of them later were annulled, including the ruling of 14.05.97 to bring Karpenko G.D. to responsibility, which was referred ad referendum, and the ruling of 14.05.97 in regard to Lebedko A.V., as the latter obstructs its exercise. The investigation of this executory process showed that the executor Kazyuk Z.A. on 29.04.97 had made to GAI GUVD (State Drive-Way Patrol at State Interior Administration) of Minsk City Executive Committee and Minsk BTI (Technical Inventory Bureau) the enquiry about Mr.Lebedko' belongings. 18.06.97 Lebedko was sent a notification about the inventory of his property scheduled on 25.06.97. Nobody opened the door of his flat to the executor on 29.07.97. 30.07.97 he was sent a registered letter with the suggestion to pay the forfeit. 31.07.97 Lebedko sent to the Frunzensky District Court an explanatory note, that the ruling to bring him to responsibility had been appealled to the Supreme Court of the Republic of Belarus. In connection with his default of payment, 20.05.97 the suggestion to detain the penalty sum from the violator's pension was sent to the place of his pension funds.

4 rulings were in process in the Zavodskoy District Court, one of them later being annulled.

From 8 rulings in process in the Pervomaisky District Court 5 rulings have been performed, on 3 rulings the suggestions to detain the penalty sums from the violators' salaries have been sent.

12 rulings were in process in the Sovetsky District Court, 2 of them have been really performed, on 8 rulings suggestions to detain the penalty sums from the violators' salaries have been sent, actions are being taken on 2 rulings. The investigation of the executory process in regard to Khodyko Y.V. shows that the 3 million roubles' forfeit has been performed partially. 1,675,000 roubles have been detained from Khodyko Y.V.' salary.

8 rulings were in process in the Leninsky District Court. 2 rulings have been really performed, the suggestion to detain the penalty sums have been sent to the violators' work places and pension funds according to 3 execution processes, 2 rulings have been annulled. The Partizansky District Judge's ruling of 21.03.97 to penalize Gyunter B.D. in 5 million roubles was sent to the Leninsky District Court for execution and has not been performed hitherto. The violator is unemployed and, in concordance with the executory process data, has no property, which could be estreated.

30 rulings were in prcess in the Moskovsky District Court, 29 rulings having been really performed. 19.06.97 the suggestion to detain the penalty sum from the violator's salary was sent according to the executory process of Golubev V.F., the latter having been levied a 3 million roubles' fine. In concordance with the executory process data on 7. 08.97, from Golubev's salary 500,000 roubles have been detained. No cash resources being on the settlement account of that institution, the money is not remitted as

the payments are delayed.

On the materials of some executors' undue execution processing and red tape while performing penalty regulations, the guilty persons have been disciplinarily punished.

Vrublevskaya E.V., Kabychkina L.G. and Yaroshevich T.F., the Partizansky District Court executors, have been reprimanded by the order of Minister of Justice of 14.07.97 for severe misconduct in office and legislative violations. Nikolsky D.V., a Tzentralny District Court executor, has been reprimanded. The question of the disciplinary punishment of Kazyuk Z.A., a Frunzensky District Court executor, and Mastafaeva L.E., a Moskovsky District Court executor, will be worked out after they are back from vacations.

27.06.97 on the operation conference of the Justice Administration of Minsk City Executive Committee the following violators of the judicatory work organization were deprived of the June bonuses: Gilep A.S., Frunzensky District Court President, of 20 % of the bonus; Gorbach E.G. and Vrublevskaya E.V., Partizansky District Court executors, and Arkhipets T.A., a Pervomaisky District Court executor, of 100%; Nikolsky D.V., a Tsentralny District Court executor, of 30% of the bonus.

The Frunzensky District Court executor Kazyuk Z.A., Partizansky District Court executors Vrublevskaya E.V., Kabychkina L.G., Yaroshevich T.F. and Gorbach E.V., the Partizansky District Court chief executor Kuprash O.I. were deprived of 100% of the July bonuses by the operation conference of 29.07.97. Court Vice-President Zabara A.A. and Partizansky District Judge Glushnev V.I. were deprived of 50% of the July bonuses for non-sufficient control over the executors' work. Pervomaisky District Court Judge was deprived of 50% of the July bonus.

The attention of judges and executors was drawn to the violations during the implementation of regu-ations and to the inappropriate control over executors' work.

An Ax under the Bench...



Perhaps, the new methods of taxation, employed since the beginning of this year, turned out to be the brightest example of human rights violation in regard to hundreds or maybe thousands of Belarusian citizens. Every citizen of Belarus, who has any side job income but the main job, must submit till February 15 to the Revenue Inspection a form on his last year's income and till March 15 pay a progressive tax, which even by a conservative estimate may amount to his average monthly earnings...

"But where is the violation of human rights?" — somebody can ask. "Taxes must be paid". Yes, they must. But why do people learn about it not in advance, a year before, but at the last moment? Why do these "new methods" of taxation, being validated only in October, "come into effect" in the beginning of 1997, it means behindhand, though no act of legislation can be retroactive. Moreover, today in Belarus there is no legislative base for adoption of a new taxation system...

In the connection with this unexpected implementation of a new taxation system, specialists, lawyers and economists have found dozens of breeches of law, as well as of the Constitution. But the idea is that this innovation will tell to the most degree upon the most active part of Belarusian society — namely undertakers, "chelnoks", creative intellectuals... In other words, upon all those people, who aspired achieving something in their lives, who were in a whirl in spite of nothing, who did not sit on their hands.

The minimal sum only in 19,400,000 million, with which the progressive tax is charged, surprises. It is even lower than a minimal wage. The percentage of the taxes pay-off is also draconian — the "top" one is 50%. Thus almost all kinds of private business become unprofitable. We could go ahead with the enumeration of violations. And, possibly, "The Right of Freedom" will return to this question, but...

Despite the plain illegality of the action held, the state has not put away its plan yet. And what could it do? The budget is empty, "capitalists" do not want to trust the dictator. As for Moscow, it is looking itself for somebody who could give it a penny to pay off the wages. Here our President found an ax under the bench...

Dictatorship Hardens Itself

The good news goes first: since the beginning of the year the notorious Presidential Decree №5, on the strength of which all antioppositionist punitive sentences have been invoked, is lapsed.

But now is the turn of the sad news: it is replaced by the Law of gatherings, meetings, demonstrations and pickets, enacted by House of Representatives still on December 4, approbated by Soviet of the Republic on December 19 and ratified by the President on December 30, 1997. The New Year gift to the citizens of Belarus turned out peculiar. Basically this law not only has no differences with its an-ecedent Decree, "run in" very effectively during and after opposition actions, but also restrains to a greater degree the citizens' rights of free declaration of will, of outspeaking their minds, different from official ones. Practically, now it is almost impossible for the opposition to hold any public action without breaking the law (as it was with the Decree earlier). Because this law has been enacted not to regulate some actions' organization and procedure, but rather to proclaim them, to repress the participators and organizers, as every alternative outgiving may be called "statements to violent change of the constitutional framework", every coloured rag may be "a flag not registered in the established order" and so on.

Moreover, breakers of the new order will be brought to responsibility "amenably the current legislation". In practice it means that against the actions' organizers and participators criminal cases will be initiated and they will be judged as if they were criminals...

It is easy to understand: any dictatorial system tends to protect itself from the actions of the most stirring society groups, to "provide for by law" its repressive machine. We can assume, that the President and his "comrades-in-arms" quite succeeded in it. And they do not care about the fact that the new law will obstruct the implementation of elementary human rights.

Our correspondent

FROM THE INSIDE OF THE «VOLODARKA»

Recently on TV and press there have been much material about the living conditions in Swedish and other two «capitalist» jails. And what are the conditions for prisoners in Belarus? Are elementary human rights observed in our jails and investigation isolation wards? One of the recent «guests» of the famous «Volodarka» in Minsk gave to the editorial staff of «The Right of Freedom» his diary. We publish it in order to give our readers the opportunity to get the information about the life behind bars at first hand. And you can draw your own conclusions and make your own comparisons...

THE FIRST TWENTY FOUR HOURS

Everyone who lives in Minsk knows this three-storeyed, with four round towers on the corners, building on the Volodarskaya Street, though it doesn't have any identification marks. This is the Central Jail, Investigation Isolation Ward, to be more exact.

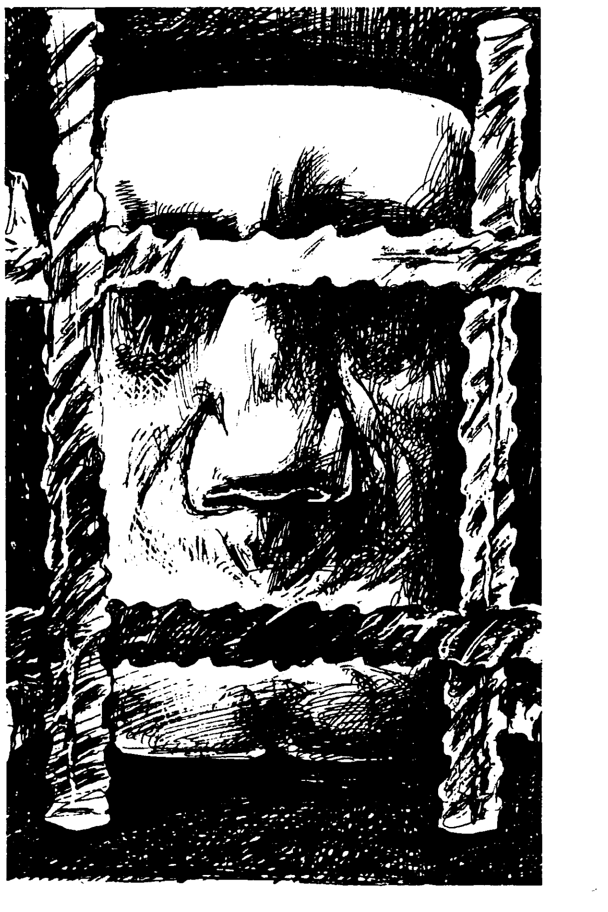
Behind a high stone wall one can read the inscription: «Architectural Memorial, built in 1825, protected by the State». It is difficult to say, how architectural peculiarities are protected, as building works have been conducted here inces-santly in 1997 (sizzling of electrical wel-ding and knocking of air hammers were heard in the wards). But the people, who are kept under inhuman conditions, are guarded very well. I had to be convinced of it myself in February 1997.

As soon as the cop, who accompanied me, took off my bracelets and handed my case to an ensign, a moustached man of Asiatic appearance, I heard an order behind my back: «Face the wall! Hands on the wall!» I looked back and was struck with a stick. «This is a jail», reminded me a sergeant with his eyes wide opened. «Not a pleasant acquaintance,» — I thought.

They checked my pockets once again, pulled out all shoe-laces, strings and locked me up in a ward.

I spent about three hours in a poorly lit two square meter room, with seats fastened to the walls. Later I was led to another room. Following the ensign's order I began to undress. After I took off my shorts and socks he examined my body very attentively, then he took photorentgenography. This action was like hardening my organism: I was standing on a concrete floor and looking out of the opened window — it was snowing. Meanwhile, the ensign was touching my clothes, asking me about their color and writing it down on a piece of paper. He found and took away my lighter. He explained that only matches were permitted.

Again I was led to the cell where I saw a guy. From time to time he clutched at his head and began counting days. I tried to start a conversation and asked something. He asked me again distrustfully: «Why are you interested in it?» After I said «Just interesting, to start a conversation», he gave me a long look and then gave me a piece of advice: «You must forget such



words, if you don't want to have troubles in the future. Here, in jail there is no such notion as «just interesting». It was my first lesson.

Nevertheless, we started a conversation and this guy told me that before the jail he used to be a businessman, and he had been sitting 8 months in «khata» (in a ward). Every month he is taken to the court but because of different reasons the trial is always postponed.

Later, meeting different people, I understood, why it was going on this way. Here, in jail a person is under physical and psychological pressing, and the more they keep him here confusing the evidences, postponing the trial, the easier it is to beat the needed facts out of him. This method works well even on very strong people.

Before I was taken to another procedure, the guy gave me two cigarettes and some matches.

The room I entered was a jail photolaboratory. They took three pictures of me and began making the imprints of my fingers. On one of the cards my thumb slipped and did not get the necessary place. The cop who pressed my fingers started cursing. Another cop, who was standing beside, struck me with a stick and warned me that he would screw my fingers if I spoil one more card.

Fortunately, nothing happened. The next procedure was «bath-house». I was taken to a shower, I had five minutes to wash myself with tepid, almost cold water and to give my clothes to the «prozharka» (a kind of sterilization room). They did not give any towels. I put the processed clothes on the wet body.

After that I was taken to «otstoynik» - a place where I had to be quarantined before going to a common «khata».

One third of the «otstoynik» was taken by «stsena» (plank beds). A square, half-glazed small window. Bars and thick cast-iron shatters were made the way, so that one could not see even the sky. In the left corner a water-closet pan was fixed on the floor with the help of concrete. Above the water-closet pan there was a tap, used at the same time for water-drinking, washing and flushing. Above the door - «luna» (a lamp, latticed from two sides). That was the interior.

Nobody disturbed me that day, only in the evening I was taken to the doctor. A prisoner must run in the corridors, and if he stops, he must look only at the wall.

In a large room there sat a man in a doctor's smock. This calmed me down and raised my hopes a little. I had my blood tested, then an injection followed. Leaving the room, in «prodol» (in the corridor) I saw a guardian cruelly beating with a guy a stick. While doing that, the guardian was giving orders «Stand up! Lie down!» till the guy lost consciousness.

In the evening, some «khatas» further, a guy, who had been pulled out from his ward and beaten for nothing by cops, was moaning loudly.

In the middle of the night I heard women screaming in the «prodol». I listened and understood that it was a transit - came the women «etap». Cops tempted them with cigarettes and tea. I know it for sure that a cop can have a woman for a pack of «lom» (cigarettes «L&M), a bar of chocolate or a pack of tea.

In the morning a «balandzyor» brought a ration - half a loaf of rye-bread, quarter a loaf of white bread and a «korabl'» (matches-box) of sugar. So, this way passed my first twenty four hours in «Volodarka». If everything is OK, I will be transferred to a common «khata» today.

Mikola KACHAN

(to be continued)

Quotations for the eighth page:

«The quantity of ideas must be enlarged so that there were not enough warders for them».

«If two enemies get a common antagonist, it only foments their mutual hatred. Each of them wants to become the only winner over the third».

The East calls us the West, and the West calls us the East...

It is dark in that principality where his Serene Highness is an utter scoundrel».

S. E. LEZ

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